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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,567	07/30/2001	John J. Dooley	005384.P002	4960

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EXAMINER

CUFF, MICHAEL A

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 06/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/919,567

Applicant(s)

Dooley et al.

Examiner

Michael Cuff

Art Unit

3627



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Oct 11, 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Jan 8, 2002 is/are a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 8 6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cesar et al. in view of Johnson et al.

Cesar et al. shows all of the limitations of the claims except for specifying an event manager, the use of XML, the use of "dotted notation", and the use of a UPAD protocol/adapter.

Cesar et al. shows, figures 1, 2, 5 and 7, a system for identifying and communicating with a plurality of devices. The system has a base station 100 (SDA) which contains a computer 102 (UDAP adapter), memory 104 (DC), and a receiver/transmitter unit 106. The base station is in communication with RF tag units 131 and 141 (DSE). Figures 7a and 7b show the connection to the supply chain network. Figure 5 shows the process in the base station (acting as a server, DC mapping info) requests information. Column 7, lines 35 -44 recites that each base station identifies and communicates with at least some of the different (heterogeneous) tag types by "reading" the tag type number or some other characteristic such as the frequency emitted from the

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tag. On the basis of the tag type, the base station "looks up" the protocol (UDAP adapter) for communicating with the tag using a "look up" table.

Johnson et al. teaches, figure 2, an integrated computerized sales system making use of an event manager including mapping of events in order to facilitate new events base on the context in which the recognized event occurs. (column 2, lines 33-34)

Based on the teaching of Johnson et al., it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the Cesar system to enhance the base station with an event manager in order to facilitate new events base on the context in which the recognized event occurs.

The examiner takes Official Notice that the use of XML and "dotted notation" are old and well known and that it would be obvious to use them in order to take advantage of standardized methods.

Based on the discussion above, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the Cesar system to use XML and "dotted notation" in order to take advantage of standardized methods.

The examiner takes Official Notice that tailoring protocol systems and renaming the subsets to perform the same function is well known in the art in order to customize network communications.

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Based on the discussion above, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to tailor the Cesar protocol system in order to customize network communications.

### *Conclusion*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hammond et al. shows a system with an event manager. Chan et al. is referenced in the Cesar et al. patent for protocol. Kishinsky et al. and Bezos et al. show what is "old and well known" in the art.

4. Any inquiry concerning this communication should be directed to Michael Cuff at telephone number (703) 308-0610.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113. The fax phone number for this Group is (703) 872-9326. (After Final special fax number (703) 872-9327) The customer service number is (703) 872-9325.

  
Michael Cuff  
June 16, 2003